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CENTRAL FAX CENTER****MAY 20 2008** PATENT

Attorney Docket No.: 10123 - 00401

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

**Walak et al.**

Serial No.: 10/666,863

Filed: September 17, 2003

For: **FATIGUE RESISTANT MEDICAL  
DEVICES**

Group Art Unit: 1742

Examiner: George P. Wyszomierski

**Board of Patent Appeals and  
Interferences**Mail Stop: Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**REPLY BRIEF UNDER 37 C.F.R. § 41.41**

In response to the Examiner's Answer mailed on March 20, 2008 to the Appeal Brief filed on February 26, 2008 and pursuant to 37 C.F.R. § 41.41, Appellants present this Reply Brief in the above-captioned application.

This is an appeal to the Board of Patent Appeals and Interferences from the Examiner's final rejection of claims 1 - 23 in the Final Office Action dated August 27, 2007. The appealed claims are set forth in the attached Claims Appendix.